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this communication:

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Date
16.04.08

Reference DE/P05546EP	Application No./Patent No. 05858097.8 - 1260 PCT/US2005031248
Applicant/Proprietor Vulcan Lead, Inc.	

Communication of European publication number and information on the application of Article 67(3) EPC

The provisional protection under Article 67(1) and (2) EPC in the individual Contracting States becomes effective only when the conditions referred to in Article 67(3) EPC have been fulfilled (for further details, see information brochure of the European Patent Office "National Law relating to the EPC" and additional information in the Official Journal of the European Patent Office).

Pursuant to Article 153(3) EPC the publication under Article 21 PCT of an international application for which the European Patent Office is a designated or elected Office takes the place of the publication of a European patent application.

The bibliographic data of the above-mentioned Euro-PCT application will be published on 14.05.08 in Section I.1 of the European Patent Bulletin. The European publication number is 1920212.

In all future communications to the European Patent Office, please quote the application number plus Directorate number.

Receiving Section





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Date
08-04-2008

Reference DE/P05546EP	Application No./Patent No. 05858097.8 - 1260 PCT/US2005031248
Applicant/Proprietor Vulcan Lead, Inc.	

Communication pursuant to Rules 161 and 162 EPC

(1) Amendment of application documents, especially the claims (R. 161 EPC)

The above mentioned international (Euro-PCT) application has entered the European phase.

Under Articles 28, 41 PCT, Rules 52, 78 PCT and Rule 137(2) to (4) EPC, the applicant may amend the application documents after receiving the international search report.

Whether or not he has already done so, he now has a further opportunity to file amended claims or other application documents within a non-extendable period of ONE MONTH after notification of the present communication (R. 161 EPC).

The claims applicable on expiry of the above time limit, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2) and for any supplementary search to be carried out under Article 153(7) EPC (R. 161 EPC).

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(2) Claims fees under Rule 162 EPC

If the application documents on which the European grant procedure is to be based comprise more than fifteen claims, a claims fee shall be payable for the sixteenth and each subsequent claim within the period provided for in Rule 159(1) EPC.

- ☒ Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 15 claims).
- ☐ All necessary fees will be/have been debited automatically according to the automatic debit order.
- ☐ The claims fee due for the claims to were not paid within the above-mentioned period.

Any non-paid claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 161 EPC (see page 1), may still be validly paid within a non-extendable period of **one month** after notification of this communication (R. 162(2) EPC).

If a payment is made for only some of the claims, it must be indicated for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (R. 162(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned period there is a new set of claims containing fewer fee-incurring claims than previously, the claims fees in excess of those due under Rule 162(2), 2nd sentence EPC will be refunded (R. 162(3) EPC).

You are reminded that any supplementary search under Article 153(7) EPC will relate only to the last set of claims applicable on expiry of the above period AND will be confined to those fee-incurring claims for which fees have been paid in due time.

The fee for the sixteenth and each subsequent claim is EUR 200,00.

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